

PLAN OF ORGANIZATION REVIEW COMMITTEE

SUBCOMMITTEE ON AUXILIARIES AND CAUCUSES REPORT

Plan of Organization Review Committee Secretary's Note:

This document is the Subcommittee on Auxiliaries and Caucuses Report with amendments in final form as approved for the Plan of Organization by the full Plan of Organization (PoO) Review Committee as of July 15, 2018. This is new language to the Plan of Organization.

X.00 AUXILIARIES AND CAUCUSES OF THE NORTH CAROLINA DEMOCRATIC PARTY: hereinafter referred to as affiliated organizations except when otherwise noted.

X.01 AFFILIATED ORGANIZATIONS DEFINED

The North Carolina Democratic Party encourages the free association of constituent and interest groups at all levels of the party. In this definition, an organization that has been called a caucus historically, but functions as an auxiliary is included. Formally recognized affiliated organizations of the North Carolina Democratic Party meet the guidelines as set forth below:

Auxiliaries shall:

- a. Be comprised of registered Democrats who share inherent and/or immutable traits which define the auxiliary, not a concern about an issue or cause;
- b. Represent a significant constituency of the Democratic Party that has been historically underrepresented;

Caucuses shall:

- a. Be comprised of registered Democrats who share a concern about an issue or cause;
- b. Represent key groups that historically and presently are crucial to voter turnout and voter outreach;

Roles of affiliated organizations:

- a. Auxiliaries shall be represented on the NCDP Executive Council, the NCDP State Legislative Policy Committee and the Platform and Resolutions Committee by the State President or designated representative, and participate in strategic planning for the NCDP.
- b. Caucuses shall be represented on the NCDP Executive Council, the NCDP State Legislative Policy Committee and the Platform and Resolutions Committee by the State President or designated representative, and participate in strategic planning for the NCDP.

X.02 THE AFFILIATED ORGANIZATIONS COMMITTEE

Purpose of the Affiliated Organizations Committee:

The Affiliated Organizations Committee is a standing committee of the North Carolina Democratic Party established to facilitate the certification and renewal of certification of affiliated organizations of the North Carolina Democratic Party. The purposes of the committee are: 1) to evaluate the constitution and by-laws and other materials submitted for all initial and renewal certifications of state organizations who request to affiliate with North Carolina Democratic Party at least biennially; 2) to review amendments of by-laws previously reviewed and publicized by the NCDP as needed; 3) to report and make recommendation for approval or denial to the State Executive Committee based on their evaluation; and 4) to advise and assist groups of individuals interested in forming an affiliated organization in the process of making application and organizing chapters when requested.

Members of the Affiliated Organizations Committee:

The Committee shall consist of:

A chair, secretary, and one (1) member appointed by the State Chair. These appointees shall serve at the pleasure of the State Chair.

Five representatives of the affiliated organizations that qualify for current membership on the State Executive Committee, who are chosen from a list to be ordered by organizational seniority. The list and rotation shall be administered by the committee chair. Members shall serve a term of one year.

Five (5) members who are current county chairs chosen by the County Chairs Association who serve until replaced.

Members of this committee must be registered Democrats.

X.03 PROCESS TO REQUEST AFFILIATION , OR REAFFIRM AFFILIATION, OR SUBMIT BY-LAWS

To obtain recognition as an affiliated organization of the North Carolina Democratic Party, an organization meets the criteria listed below:

1. All new or unaffiliated organization must request affiliation by submitting application to the committee and completing the organizational process 90 days prior to a State Executive Committee Meeting at which the organization requests to be considered. The organization may request guidance from the Affiliated Organizations committee before submission.
2. Each affiliated organization shall re-apply to the committee in writing for recognition by September 1 of each even numbered year.
3. If at any time after recognition an organization amends its by-laws such that its mission, purpose or process is significantly altered, the organization may submit the proposed bylaws amendment(s) to the Affiliated Organizations committee for review. Upon request to a member of the Affiliated Organizations committee, the organization may obtain advice on such changes prior to submission.
4. All applications for affiliation and renewals are evaluated by the Affiliated Organizations Committee and are subject to final vote of the State Executive Committee to approve recognition of the organization. The Affiliated Organizations Committee is convened to evaluate by-laws and other criteria to confirm that criteria are met and to report not less

than 30 days prior to date of the State Executive Committee meeting at which the organization may be recommended. The report of the Affiliated Organizations Committee, which shall include the names of the organizations requesting approval, shall be included in the agenda of the official notice of this meeting. Notice of this committee's recommendations and the reviewed constitutions/by-laws of each auxiliary or caucus requesting approval shall be posted on the NCDP.org website for review not less than 14 days prior to any SEC meeting at which recommendations will be reported and acted on.

5. State affiliated organizations shall be in-state law compliance with state election law.
6. The party will recognize a single auxiliary or caucus for any specific purpose.

Criteria for recognition as an official affiliated auxiliary or caucus are as follows:

1. An auxiliary or caucus has held an organizational meeting with notice to all county parties and all chapter members to adopt by-laws and elect officers using Robert's Rules of Order for establishing a permanent society. Subsequently annual business meetings are held in accordance with its by-laws for transacting business and at least every two years for the election of officers.
2. An Affiliated Organization demonstrates a broad outreach, inclusion and capacity to represent the constituency group as stated in its by-laws. Organizations applying for certification as a state-wide organization shall evidence this state-wide mission by organizing chapters in no fewer than five (5) counties, or a combination of five (5) non-duplicated county, multi-county, district chapters or individual memberships at a level to be determined at the discretion of the committee.

When the Committee considers the level of individual membership of an affiliated organization with less than 5 chapters, the Committee shall consider as positive criteria:

1. The positive impact of the affiliated organization on the North Carolina Democratic Party
 2. The values of participation and non-discrimination as stated in the Preamble to the Plan of Organization
 3. Any auxiliary and caucus that is recognized by the DNC and/or holds a seat on the DNC
3. The current by-laws of the Affiliated Organizations are available for inspection by any active Democrat and published on the state party website. The by-laws must be consistent with the values as stated in the Preamble and Open Party chapters of the Plan of Organization. An Affiliated Organization is required to send a copy of the current by-laws when amended to the NCDP Executive Director for reposting on the state party website.
 4. As a part of the constitution and by-laws of each Affiliated Organization, there shall be a statement indicating that a primary mission of the organization is the promotion of the Democratic Party, the Democratic Party's nominees for elective office, and the Democratic Party's elected officials.
 5. Affiliated Organization By-laws must include a mechanism for managing disputes with the chapters of its state auxiliary or caucus organizations that deviate from the mission outlined above and for the internal resolution of disputes and controversies that arise within the

auxiliary or caucus. The internal disputes of an affiliated organization shall not be subject to jurisdiction by the NCDP Council of Review.

6. Every Affiliated Organization is required to comply with North Carolina Election law.
7. To facilitate communication between organizations and the state party, each Affiliated Organization shall submit and update the names, addresses, phone numbers, and contact information for officers and/or representatives chosen to represent the chapters of county, district, and state levels of the organization to the NCDP executive director. Such data shall also be entered into the NCDP database.

X.04 REPRESENTATION AND VOTING ON COUNTY, DISTRICT, STATE EXECUTIVE COMMITTEES AND STATE EXECUTIVE COUNCIL AND POLICY COMMITTEES

Affiliated Organizations with by-laws approved by the State Executive Committee are represented on executive committees and policy committees in the following manner:

County Executive Committees: Duly organized chapters wholly within a county shall have a designated ex-officio, voting member on the county executive committee. The member must reside in the county. These representatives are entitled to one vote. The respective presidents of the state Affiliated Organizations shall determine those duly organized chapters within a county and certify the name of the county organization president or chosen representative to the state party chair. Such ex-officio members serve on this committee until their term expires.

When a club has formed within a county and is not affiliated with a state recognized Affiliated Organization, the county executive committee shall determine what constitutes a duly organized Democratic Club of the county in which these are organized. The designated representative of the club shall be an ex-officio member of the County Executive Committee. The County Executive Committee shall determine if the club has a vote.

District Executive Committees: A congressional district representative, who resides in the district, of each state Affiliated Organization is an ex-officio, voting member of the district executive committee. The by-laws of each state Affiliated Organization shall provide for a method of choosing each such representative. Should a county chair or first vice chair be elected as a district representative of that state auxiliary or caucus organization, some other member residing in the district shall be certified as the representative of that Affiliated Organization to the congressional district executive committee. These representatives are entitled to one vote except when voting for the nominating procedures under North Carolina General Statutes, when they shall be non-voting members. Such ex-officio members serve on this committee until their term expires.

Democratic Clubs not currently recognized at the state level may be recognized at the district level at the discretion of the executive committee in the district in which these are organized. The District Executive Committee shall determine if the club has a vote.

State Executive Committee: The presidents or designated representatives of all state affiliated organizations with by-laws approved by the state executive committee shall be ex-officio voting

members of the state executive committee. The term of office will expire when their successors are elected and successor takes office.

State Executive Council: State presidents of affiliated organizations that have been approved by the State Executive Committee are ex-officio, voting members of the State Executive Council. Such ex-officio members serve on this committee until their successor takes office.

Policy Committees: The state presidents or designated representatives of chartered Affiliated Organizations shall serve as voting members of the Resolutions and Platforms Committee and State Legislative Policy Committee. Such ex-officio members serve on this committee until their term of auxiliary office expires.

Any state affiliated organization may submit proposed platform recommendations or resolutions to the Resolutions and Platform Committee.

Council of Review:

Presidents of Affiliated Organizations are not eligible for membership on the Council of Review. However, members of an auxiliary or caucus may be elected from congressional districts or appointed by the state chair to serve on this committee.

X.05 REASONS FOR REMOVAL AND VACATING OF OFFICERS AND COMMITTEE MEMBERS

Removal of an ex-officio member of any party committee may result from hearings under the affiliated organization's internal processes, as an individual member of a state party committee subject to Council of Review action, or automatically under certain circumstances when accepting new roles within the party. If an individual is a member of a committee of the North Carolina Democratic Party, and engages in conduct that is grounds for removal, the individual may be removed from any committee on which he or she serves as an ex-officio, appointed, or elected member. In instances in which an individual serving in an ex-officio capacity is removed or vacated from any committee, the auxiliary may elect or appoint a temporary or permanent replacement as needed in accordance with its' by-laws. See Sections 10.0 – 10.04.

X.06 REVOCATION OF CHARTER An auxiliary or caucus may be subject to revocation as an affiliated organization under the following circumstances:

1. An annual meeting has not been held and/or officers have not been elected at the time prescribed in the organization by-laws, thus becoming "unorganized".
2. When party recognition status is disputed, is unresolved by internal methods and results in a lack of clear lines of leadership and accountability or becomes disruptive to the business of the party, disputing parties shall be subject to binding arbitration by an arbiter agreed to by both at the expense of the disputing auxiliaries or caucuses. If one of the parties to the dispute refuses to participate in arbitration or refuses to accept the result of arbitration, the chair, in consultation with the Executive Council and Affiliated Organizations Committee shall name the president of the participating organization as the representative of the organization on the State Executive Committee and/or State Executive Council.
3. If a national organization has authority to revoke the charter of an affiliated state organization and has revoked the charter of the state organization.

4. Following Adjudication of a hearing held before the Review Council an order to revoke the charter of an approved Affiliated Organization.

Upon revocation or suspension of a charter, all representatives of an affiliated organization shall lose their standing. The Chair of the North Carolina Democratic Party, after consultation with the Affiliated Organizations Committee and State Executive Council, shall have authority to determine that an auxiliary or caucus is suspended or no longer recognized when any of the above occurs. Nothing in these policies prevents a group from seeking restoration of recognition when criteria as an Affiliated Organization of the state party has been met.

X.07 AFFILIATED ORGANIZATIONS REVIEW COUNCIL

Purpose of the Affiliated Organizations Review Council:

The Affiliated Organizations Review Council hereby established for the purpose of hearing and rendering fair and impartial decisions on such disputes and controversies which may arise within the Affiliated Organizations of the N.C. Democratic Party and cannot be resolved by the internal resolution mechanisms of any approved Affiliated Organization or when the same disputes and controversies are made known, in writing, to said Review Council by the state chair or a President of an approved Affiliated Organization.

Composition:

Members. The Review Council shall consist of one (1) member from each approved Affiliated Organization who shall be elected in even number years by the various Affiliated Organizations, and five (5) members at-large to be appointed by the State Chair.

No person may be a member of the Review Council who also serves as a President or Chair of a county or district chapter or as an elected or appointed officer of the state Affiliated Organization.

Officers. The State Chair shall appoint a chair and a secretary of the Review Council from among the members of the Review Council.

Terms. Terms for members of the Review Council shall begin upon the date of their election or appointment and end on the date their successors are elected or appointed.

Removal of Members. The State Executive Council shall have the right to remove from office any member of the Review Council upon two-thirds ($\frac{2}{3}$) of the State Executive Council present and voting being satisfied that the Review Council member has been disloyal to the Party, has refused or failed to perform his or her duties, or is guilty of any misconduct which is not in keeping with his or her high position of honor in the Democratic Party.

Vacancies. A vacancy in the membership of the Review Council shall be filled by the Affiliated Organization from which vacating member originated from, except that vacancies in members at-large appointed by the state chair shall be filled by the state chair.

Rules, Procedures and Jurisdiction:

Rules. Forty percent (40%) of the entire membership of the Review Council shall constitute a quorum. All decisions concurred in by a majority of the Review Council present and voting shall be final and binding upon all Affiliated Organizations of the N.C. Democratic Party meetings and officials, except that any decision of the Review Council decided by less than a two-thirds ($\frac{2}{3}$) majority of those present and voting may be appealed to the State Executive Council. The Review Council is further empowered and directed to adopt necessary and appropriate rules to assure that each dispute and grievance is settled impartially, equitably and according to rules of justice and fairness.

Procedures. Procedures for Review Council shall be consistent with the Procedures of the NCDP Council of Review as defined in this Plan of Organization as set out in section 9.09.

Jurisdiction. The Review Council shall assume jurisdiction of all matters and disputes arising from any meeting, convention, or decision by an officer of an approved Affiliated Organization; provided such dispute or grievance is brought to the attention of the Chair of the Review Council within thirty (30) days after such meeting or convention was convened or was to have been convened, or within thirty (30) days after the Petitioner(s), through the exercise of due diligence, could have discovered the incident, or event, or decision giving rise to the grievance, whichever is latest. The Review Council shall have sole discretion to determine whether a dispute or grievance has been timely raised with the Review Council, but in no event, shall the Review Council consider any incident, event or decision by an officer of an affiliated organization occurring more than six (6) months prior to the alleged grievance.

Any grievances arising from such meetings or convention not brought to the attention of the chair of the Review Council within the thirty (30) days shall be deemed to have been waived, unless the Review Council determines that the incident or event could not have been discovered through the exercise of due diligence within such period of time. An aggrieved Democrat shall be deemed to have brought such to the attention of the chair of the Review Council if written notice was delivered by hand, email or mailed with a postmark imprinted by the United States Postal Service or a postage meter approved in accordance with a permit issued by the United States Postal Service, to the chair of the Review Council within the time limits set forth hereinabove. The Review Council shall also assume jurisdiction of all matters and disputes referred to it by the State Chair or President of an approved Affiliated Organization.

THE AFOREMENTIONED LANGUAGE WAS APPROVED BY THE PLAN OF ORGANIZATION REVIEW COMMITTEE ON JULY 15, 2018.

THE SUBCOMMITTEE ON AUXILIARIES AND CAUCUSES RECOMMENDED THE FOLLOWING REVISIONS TO THE CURRENT PLAN OF ORGANIZATION AS DEEMED NECESSARY TO PROVIDE INTERNAL CONSISTENCY WITH THE NEW APPROVED LANGUAGE OF SECTION X.00 AUXILIARIES AND CAUCUSES OF THE NORTH CAROLINA DEMOCRATIC PARTY. THE LANGUAGE IN RED IS RECOMMENDED BY THE SUBCOMMITTEE AND APPROVED BY THE FULL PLAN OF ORGANIZATION REVIEW COMMITTEE:

2.01 Composition of County Executive Committee Members; Members; (3)

Replace "3. The presidents of the duly organized and chartered chapters of state auxiliary organizations. The respective presidents of the state auxiliary organizations shall determine those duly organized auxiliary organizations within a county and certify the name of the county auxiliary organization president to the state chair."

With "3. **The representatives of duly organized and chartered chapters of state affiliated organizations. The respective presidents of the state affiliated organizations shall determine those duly organized affiliated organizations within a county and shall certify the name of the county affiliated organization representative selected according to the organization by-laws to the state chair.**"

Replace "auxiliary" thereafter with **affiliated organization** and "presidents" with **representatives** in each instance.

2.01 Composition of County Executive Committee Members; Members; (6).

Replace: "6. The county chair shall determine what shall constitute a duly organized Democratic Men's Club within a county and the president of some other person designated by the Club shall be a member of the county executive committee."

With: "6. **When a club has formed within a county and is not affiliated with a state recognized Affiliated Organization, the county executive committee shall determine what constitutes a duly organized Democratic club of the county in which these are organized. The president or some other person designated by the club shall be an ex-officio member of the County Executive Committee. The County Executive Committee shall determine if the club has a vote.**"

2.05 DUTIES OF THE COUNTY CHAIR

Replace: "9. Encourage and facilitate establishment and continuity of county chapters of state auxiliary organizations"

With: "9. Encourage and facilitate establishment and continuity of county chapters of state **affiliated** organizations"

3.01 CONGRESSIONAL DISTRICT EXECUTIVE COMMITTEE; (3)

Replace each instance of "state auxiliary organization" with **state affiliated organization**.

4.01 STATE EXECUTIVE COMMITTEE; Composition (p. 20, second paragraph)

Replace: "The presidents of all state auxiliary organizations with by-laws approved..."

With: "**The representatives of all state affiliated organizations** with by-laws approved..."

4.05 DUTIES OF THE STATE CHAIR AND CERTAIN OFFICERS; (3) and (12)

Replace: "3. Draft, in consultation with the state party officers, a strategic plan outlining reasonable political goals for the state;"

With: "3. Draft, in consultation with the state party officers **and representatives of state affiliated organizations**, a strategic plan outlining reasonable political goals for the state."

Replace: "12 .Encourage and facilitate the establishment and continuity of state auxiliary organizations."

With: "12. Encourage and facilitate the establishment and continuity of state **affiliated** organizations."

4.08 ORDER OF BUSINESS OF THE STATE EXECUTIVE COMMITTEE MEETING HELD PRIOR TO MARCH 1 (7)

Replace: "The state Chair, in odd numbered years, will submit the constitutions and/or by-laws of each state auxiliary organization for approval of the state executive committee which shall issue or reaffirm the charters of such organizations upon approval of such by-laws and/or constitutions. As a part of the constitution or by-laws of each state auxiliary organization, there shall be a statement indicating that the primary mission of the organization is the promotion of the Democratic Party , its nominees for elective office, and its elected officials. In addition, the constitution or by-laws of each state auxiliary organization must provide a mechanism for dealing with county chapters of state auxiliary organizations that deviate from the mission outlined above.

With: "**The Chair of the Affiliated Organizations Committee shall present a report of its review of the new applications for recognition as a chartered affiliated organization of the North Carolina Democratic Party and applications for renewal of the charter of affiliated organizations, for consideration and approval of the by-laws of each organization by the State Executive Committee. The constitutions or by-laws of the affiliated organizations are required to meet criteria as outlined in X. 00 AUXILIARIES AND CAUCUSES OF THE NORTH CAROLINA DEMOCRATIC PARTY. "**

4.10 EXECUTIVE DIRECTOR AND STATE PARTY STAFF (3)

Replace: "3. Implementing the strategic plan drafted in consultation with the state executive committee and approved by the state executive council."

With: "3. Implementing the strategic plan drafted in consultation **with the state party officers and affiliated organizations, as approved by the executive council.** "

8.01 RESOLUTIONS AND PLATFORMS COMMITTEE

Composition

Replace "In addition, the presidents of state chartered auxiliary organizations with constitutions and/or by-laws approved by the state executive committee"

With: "In addition, the **representatives of state chartered affiliated** organizations with constitutions and/or by-laws approved by the state executive committee"

Matters for Consideration, second paragraph

Replace: "auxiliary organizations with constitutions or by-laws approved by the state executive committee"

With: "**affiliated** organizations with constitutions or by-laws approved by the state executive committee"

8.02 STATE LEGISLATIVE POLICY COMMITTEE, Composition

Replace: "The following persons shall also be members of this committee: the three state vice chairs, members of the Democratic National Committee from NC, each congressional district chair, and five persons appointed by the state chair."

With: "The following persons shall also be members of this committee: the three state vice chairs, members of the Democratic National Committee from NC, each congressional district chair, **the presidents of state affiliated organizations** and five persons appointed by the state chair."

9.02 COUNCIL OF REVIEW COMPOSITION, Members, second paragraph

Replace: "no person may be a member of the Council of Review who also serves as a chair of a county or district executive committee or as an elected or appointed officer of the state executive committee"

With: "no person may be a member of the Council of Review who also serves as a chair of a county or district executive committee, or as an elected or appointed officer of the state executive committee **or as a state president of an affiliated organization.**"

10.04 SIMUTANEOUS OFFICE HOLDING PROHIBITED IN SOME CIRCUMSTANCES, paragraph 2

Replace: "no elected officer of any county executive committee, district executive committee, or state executive committee may simultaneously serve as a President of any state-wide auxiliary recognized under Rule 4.08" and all subsequent references to a president of a state wide auxiliary organization in this paragraph

With: "no elected officer of any county executive committee, district executive committee, or state executive committee may simultaneously serve as a President of any state-wide **affiliated organization** recognized under Rule 4.08" and all subsequent references to a president of a state-wide **affiliated** organization in this paragraph

Respectfully submitted by Sharon Castleberry, Plan of Org Review Committee Recording Secretary on behalf of Committee Chairman Cliff Moone and Committee Vice Chair and Chair of Subcommittee on Auxiliaries and Caucuses Betsy Leech.